

## NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

### NOTICE OF SUBSTANTIVE POLICY STATEMENT

#### GAME AND FISH COMMISSION

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

SP.006-A2.23—Policy Statement on Heritage Fund Acquisitions of Sensitive Habitat for Endangered, Threatened and Candidate Species, as Authorized Under the Provisions of A.R.S. § 17-298.

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

October 17, 2003

**3. Summary of the contents of the substantive policy statement:**

Heritage acquisition funds shall be spent on the conservation of sensitive habitat for endangered, threatened, and candidate (ETC) species of fish and wildlife as defined at A.R.S. § 17-296. Proposed acquisitions must be thoroughly analyzed by the Department prior to presentation before the Commission. All Heritage Fund acquisition proposals must be developed and implemented in accordance with A.R.S. §§ 17-296 and 17-298 and in compliance with existing rules and regulations governing the expenditure of state funds.

In order for funds to be expended for acquisition, the Commission must acquire an interest in the lands and/or waters associated with the transaction. For the purposes of this policy, land or water interests are acquired through fee title purchases, lease agreements, conservation easements, special-use permits, or other land-use agreements that convey certain management rights to the Commission.

For the purposes of this policy and the conservation of sensitive habitat as defined by A.R.S. § 17-296, "specific area" means the area associated with a particular habitat type (e.g., riparian habitat) that is located within the geographical area historically or currently occupied by, and that has the potential to provide benefits to, one or more ETC species; "geographical area historically occupied" means within the historic range of the ETC species being considered (whether or not the species is/are present); "geographical area currently occupied" means the current range (including seasonal use) of the ETC species being considered.

Further, it is the policy of the Commission that all lands and waters acquired as sensitive habitats pursuant to A.R.S. § 17-298 will be managed with a primary focus on endangered, threatened, or candidate species of fish and wildlife as defined at A.R.S. § 17-296.

**4. A statement as to whether the substantive policy statement is a new statement or a revision:**

This is a revision of a previous substantive policy statement.

**5. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Mark Naugle, Rules and Risk Manager

Address: 2222 W. Greenway Road  
Phoenix, AZ 85023

Telephone: (602) 789-3289

**6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

A copy of the substantive policy statement may be obtained from the Arizona Game and Fish Department, Rules and Risk Management Section, 2221 W. Greenway Road, Phoenix, AZ 85023.